

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

JABARI TRUITT,)	
)	
Plaintiff,)	
)	
vs.)	1:11-cv-1227-JMS-MJD
)	
INDIANAPOLIS HOUSING)	
AGENCY,)	
)	
Defendant.)	

ENTRY

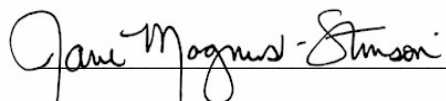
In acting on the motion for summary judgment in this employment discrimination case, the court examined the evidence and reached the conclusion that "Truitt has not identified a genuine issue of material fact as to his claims against his former employer." Accordingly, the motion for summary judgment was granted and the case was closed.

Truitt has now filed a motion to amend/correct. The court finds that such motion is too little, too late. First, there has been no relief sought or granted from the final judgment in this case. The amended complaint is of **no effect**. See *Figgie Int'l, Inc. v. Miller*, 966 F.2d 1178, 1179 (7th Cir. 1992) ("It is well settled that after a final judgment, a plaintiff may amend a complaint under Rule 15(a) only with leave of court after a motion under Rule 59(e) or Rule 60(b) has been made and the judgment has been set aside or vacated."). Additionally, Truitt participated in the summary judgment process--summary judgment is the "put up or shut up" moment in a lawsuit, *Johnson v. Cambridge Indus., Inc.*, 325 F.3d 892, 901 (7th Cir. 2003), and "[a] party seeking to defeat a motion for summary judgment is required to 'wheel out all its artillery to defeat it,'" *Caisse Nationale de Credit Agricole v. CBI Industries, Inc.*, 90 F. 3d 1264, 1270 (7th Cir. 1996)(quoting *Employers Ins. of Wausau v. Bodi-Wachs Aviation Ins. Agency*, 846 F. Supp. 677, 685 (N.D.Ill. 1994), *aff'd*, 39 F. 3d 138 (7th Cir. 1994))--and cannot now simply add to his arguments or evidence.

The motion to amend/correct [83] is therefore **denied**.

IT IS SO ORDERED.

Date: 01/09/2013



Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution:

All Electronically Registered Counsel

**Jabari Truitt
5441 Kelvington Lane
Indianapolis, IN 46254**